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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91183344
Party	Defendant Tuzun, Sadik
Correspondence Address	Sadik Tuzun 408 East University Drive Auburn, AL 36832 UNITED STATES naturale@mindspring.com
Submission	Other Motions/Papers
Filer's Name	Dr. Sadik Tuzun
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Date	09/03/2008
Attachments	Filing Board Hearings Sep04.txt (2 pages)(4052 bytes)

UNITED STATES DEPARTMENT OF COMMERCE

PATENT AND TRADEMARK OFFICE

RESPONSE TO OPPOSERS E-MAIL

In Re: Application of:

Trademark Serial No: 78960726

For the Mark: BioFume

Applicant: Tuzun, Sadik

Opposer: AgraQuest, Inc.

Re: Opposition Number: 91183344

Please find a copy of the memo I have sent to AgraQuest, INC as a response to their e-mail I have received recently mailed on August 29, 2008 at 12:30 US Central Time (dated wrongly as August 30th due to an error in my computer date). I have requested starting negotiations on a settlement agreement as a Gentlemans request since it was my understanding that it was going to be pursued as an avenue as per our initial agreement with my late attorney Mr. Day from the beginning of this hearings. I am not sure how you want to pursue considering my recent requests for a cancellation hearing and change in ownership of the trademark BioFume. As I mentioned in my earlier communication and memo below I have not been privileged any communications amongst the parties from Mr. Day and I am regretfully learning presence of such communications from the recent memo received from the opposer. I am going to discuss all matters contained in this memo with Naturelagro, INC and decide ways to purse if the opposer is not willing to enter into negotiations for a settlement. I am filing below a copy of the memo mentioned above:

I have carefully read your memo and sorry to inform you that I was not privileged any communications between Mr. Day and your office previously. I have communicated my two recent filings with the Board with you previously and certainly Naturelagro, INC. will be a part of our discussions upon changing the name of the owner of Trademark BioFume and results of our these two filings would certainly effect the nature of our discussions. It was my understanding that Mr. Day would arrange a settlement but it has never happened and I have found out further that he has not even forwarded me any of the communications between the parties. I am still in Turkey so I do not have an attorney yet but I believe it is in the best interest of both parties to reach a settlement agreement.

Looking forward to hearing from you.

Dr. Sadik Tuzun, Ph.D.

I will forward a copy of this memo to Cheryl Goodman via Express mail since I do not have her e-mail address.

A copy of this memo was also sent using Turkish mails Express Mail system but to make sure you have it I am filing online with you. As per our discussions, Naturelagro, INC is willing to use BioFume trademark in association with a set of numbers, as indicative of their benchmark development numbers, i.e. BioFume 970 and BioFume 975 which would make it more distinctive from BioTune even if this particular trademark is not cancelled. I am also seeing that Mr. Day did not only represent my best interests but put me in a difficult situation by not forwarding me the communications between parties in a timely manner and, therefore, I request a rearrangement of our scheduling to accommodate recent filings and my short comings associated with our miscommunications with my late

attorney if the parties do not agree to start negotiations for a settlement.

/sadik tuzun/

Dr. Sadik Tuzun, Ph.D.

408 East University Dr.

Auburn, AL 36832

I hereby certify that a copy of this memo is served to AgraQuest, INC.
and Naturelagro, INC via e-mail. /sadik tuzun/
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